IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

WEDNESDAY, THE 22ND AUGUST 2007 / 31ST SRAVANA 1929

WP(C).No. 5465 of 2007(A)

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PETITIONER:

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MARUTHERIMMAL KUNHAPPA NAIR,
S/O. KRISHNAN NAIR, P.O.MOYILOTHRA,
MARUTHENKARA VILLAGE, KAKKATTIL,
VADAKARA TALUK.

BY ADV. SRI.K.SIVAKUMAR

RESPONDENTS:

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1. SPECIAL SALE OFFICER,
SENIOR INSPECTOR (HIGHER GRADE),
THE VATAKARA CO-OP AGRICULTURAL & RURAL
DEVELOPMENT BANK LTD., P.O.KAKKATTIL.

2. THE BRANCH MANAGER,
THE VATAKARA CO-OP. AGRICULTURAL & RURAL
DEVELOPMENT BANK LTD., P.O.KAKKATTIL,
BR. THOTTILPALAM, VADAKARA.

R2 BY ADV. SRI.V.G.ARUN
SRI.T.R.HARIKUMAR
R1 BY GOVT. PLEADER SMT. A.G. ANEETHA.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 22/08/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WPC. 5465/2007.

APPENDIX

PETITIONER'S EXTS:

EXT. P1 : TRUE COPY OF THE RECEIPT DATED 20.10.2006.

EXT. P2 : TRUE COPY OF THE SALE LETTER DATED 2/1/2007.

**K.M.JOSEPH, J.**

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WP.(C) No. 5465 of 2007

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Dated this the 22nd day of August, 2007

**JUDGMENT**

Petitioner availed a loan. It was not repaid fully. Petitioner challenges Ext.P2 and seeks a direction to collect the disputed amount in instalments.

2. I heard learned counsel for the respondent bank also. Petitioner prays for permission to pay the amount in easy instalments.

The writ petition is disposed of permitting the petitioner to pay off the amount remaining to be paid with due interest in six equal monthly instalments, the first of which shall be paid on or before 28.9.2007 and subsequent instalments on or before the 28th of the succeeding months. The second respondent will serve a statement on the petitioner showing the exact amount of instalment to be paid in terms of this judgment within a period of two weeks from today. If any single instalment is defaulted, the petitioner will lose the benefit of this judgment and it will be open to the second respondent to proceed against the petitioner in accordance with law.

(K.M. JOSEPH, JUDGE)

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